IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

NOTICE OF MOTION NO. 299 OF 2004

IN

SUIT NO. 2379 OF 2002

Neela Ramanlal Shah & Anr. ..Plaintiffs

versus

Tata Power Co. Ltd. & Ors. ..Defendants

Mr. Jaywant Gaikwad i/b. Ajay Khandhar for the Plaintiffs.

None for the Defendants.

CORAM : D. G. DESHPANDE,J.

DATE : 24TH SEPTEMBER, 2004.

P.C. :

. Heard Advocate for the plaintiffs. The notice of motion is for expediting the suit i.e for issuing duplicate share certificates on the ground that both the plaintiffs are senior citizens and they are about 73 years of age or above. Writ of summons was served upon the defendants. Notice of motion was also tried to be served on defendant Nos. 1 and 2. Defendant Nos. 1 and 2 accepted the service and the envelope addressed to defendant no.3 has been

returned to the plaintiff with the endorsement "Addressee left without intimation." What that does mean can be explained only by the postal department. In any case looking to the prayer in the notice of motion and the age of the plaintiffs, the suit is expedited. However, it will be taken according to the board of the court dealing with the final hearing of matters. To come up before the said court on 10.1.2005. Notice of Motion is disposed of.

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